



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Probate Status Hearing Re: Failure to File Inventory and Appraisal and Failure to
File First Account or Petition for Final Distribution**

DOD: 11/14/2003	CLAYTON JEFFREY MASSEY and RAYMOND DEAN MASSEY were appointed as Co-Executors with full IAEA authority and without bond on 5/11/2004.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 090613, 110113, 010314, 030714, 050914, 050914, 060514, 090414	Letters issued on 5/11/2004.	
	Inventory and appraisal was due on 10/11/2004.	
Aff.Sub.Wit.	First account and/or petition for final distribution was due on 5/11/2005.	
Verified		
Inventory		
PTC	Notice of Setting Status Hearing was sent to Attorney Richard Hemb on 7/17/2013.	
Not.Cred.		
Notice of Hrg	Former Status Report of Attorney Richard Hemb filed on 5/6/14 states an inventory and appraisal was prepared by Steven Diebert with a total value of \$193,489.92 and sent to the clients for review and signature. Mr. Hemb states he also prepared a declaration whereby the property would be distributed to an inter vivos trust and a First and Final Account and Report of Executors and Petition for Settlement, Allowance of Commissions and Fees and Final Distribution. The documents were never executed by his clients.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	Mr. Hemb states he personally visited the residence located at 12557 E. Herndon in Clovis and found Mr. Massey to reside at that location. Mr. Hemb states he had a personal conversation with Mr. Massey to explain the need to resolve the probate estate.	
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	Since Mr. Hemb's personal visit to Mr. Massey's home, his office has sent reminder letters to Mr. Massey. To date, Mr. Massey has not contacted his office to conclude the estate.	
UCCJEA		
Citation		
FTB Notice		
Please see additional page		
		Reviewed by: KT
		Reviewed on: 10/7/14
		Updates:
		Recommendation:
		File 1A – Massey

Status Report of the Public Administrator filed on 8/28/14 states Senior Probate Assistant Susan Banuelos researched this case and learned that there are not assets in the estate. All assets were marshalled under the decedent's trust.

Therefore, the Public Administrator requests that no further status hearings be set in this matter, and that the Public Administrator be discharged as successor Administrator.

Note: There were assets in this estate see Mr. Hemb's status report filed on 5/6/14. The assets were transferred from the estate to the trust by the former co-executors without court authorization.

Probate Code §9202 requires notice to the Department of Health Care Services and Victim Compensation and Government Claims Board. There is no indication that either agency has been noticed. It appears that both those agencies should be noticed prior to the closing of this estate. If it is found that either of those entities have a claim against the estate, a surcharge petition should be filed against the former co-executors to pay said claims.

If after noticing the Department of Health Care Services and Victim Compensation and Government Claims Board there are no claims against the estate, the court could close the estate and discharge the Public Administrator.

The former co-executors are the only beneficiaries of this estate and would be the only persons harmed by their wrongdoing if no claims are filed by the Department of Health Care Services and Victim Compensation and Government Claims Board.

DOD: 11/14/2003 Cont. from 060514 090414 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 150px;">Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.Wit.		Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order		Aff. Posting		Status Rpt		UCCJEA		Citation		FTB Notice		<p>CLAYTON JEFFREY MASSEY and RAYMOND DEAN MASSEY were appointed as Co-Executors with full IAEA authority and without bond on 5/11/2004.</p> <p>Letters issued on 5/11/2004.</p> <p>Inventory and appraisal was due on 10/11/2004.</p> <p>First account and/or petition for final distribution was due on 5/11/2005.</p> <p>Minute order dated 5/9/14 set this Order to Show Cause Re: Clayton Massey's failure to appear. The Court Orders Clayton Massey to be personally present on 6/5/14. A copy of the minute order was mailed to Clayton Massey on 5/16/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute order from 6/5/14 states the court notes that Clayton Massey is not present. Mr. Hemb advises the Court that he has verified Clayton Massey's address and has conveyed to him the importance of appearing at today's hearing. The court imposes sanctions in the amount of \$500.00 against Clayton Massey. Sanctions to be paid by 7/7/14. – Copy of the minute order was mailed to Clayton Massey on 6/5/14. As of 9/2/14 the sanctions have not been paid.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr><td>Reviewed by: KT</td></tr> <tr><td>Reviewed on: 10/7/14</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 1B - Massey</td></tr> </table>	Reviewed by: KT	Reviewed on: 10/7/14	Updates:	Recommendation:	File 1B - Massey
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File 1B - Massey																																																					

1B

Probate Status Hearing Re: Filing Account

DOD: 11/06/06		<p>NAGLAA K. ALAMELDIN, sister, was appointed Administrator with full IAEA and bond of \$190,000.00 on 01/02/07.</p> <p>NAGLAA K. ALAMELDIN filed a Status Report of Administration of Estate and Petition to Approve First Account on 09/21/10.</p> <p>The Petition to Approve First Account was continued several times (11 hearings total) and the Court denied the Petition with leave to Amend on 06/04/12.</p> <p>Minute Order from hearing on 8/6/12 set this matter for status regarding filing the account.</p> <p>In June of 2013 the attorney reported that the estate is waiting on funds totaling \$69,425.63 from CA State Controller unclaimed property. In addition since there was a minor beneficiary a guardianship of the estate would be needed prior to distribution.</p> <p>Former Status Report filed 8/11/14 states the estate received a check in the amount of \$69,352.97 from the State Controller's office. Administrator states they are in the process of preparing a formal accounting and petition for final distribution in the next 45 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Account and Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<p>Cont. from 100412, 113012, 020113, 040513, 060713, 080913, 090613, 110113, 010914, 041014, 081114</p>			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 8-6-14</p> <p>Updates: 10/7/14 (KT for 10/9/14)</p> <p>Recommendation:</p> <p>File 2 - Alameldin</p>	

DOD: 7/1/14	PUBLIC GUARDIAN was appointed conservator of the person and estate on 5/29/13.	NEEDS/PROBLEMS/COMMENTS: 1. Need first account.
	Letters issued on 5/30/13.	
Cont. from 080114		
Aff.Sub.Wit.	Inventory and appraisal, part 1, was filed on 5/13/13 showing a value of \$165,000.00	
Verified		
Inventory		
PTC		
Not.Cred.	Inventory and appraisal, final, was filed on 7/30/13 showing a value of \$53,220.97	
Notice of Hrg		
Aff.Mail	Inventory and Appraisal, supplemental, was filed on 6/3/14 showing a value of \$210.00	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Minute order dated 5/29/13 set this status hearing for the filing of the first account.	
Conf. Screen		
Letters		
Duties/Supp	Status Report filed on 7/29/14 states the Public Guardian completed the necessary documents to file the first account. However, before the account was complete, the conservatee died. A copy of the conservatee's will was obtained, and County Counsel found that more time was needed in order to check the status of a promissory note mentioned in the will. In order to allow the Public Guardian more time to research the status of the promissory note and complete the accounting it is respectfully requested that the next status hearing be set no sooner than 9/12/14.	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: KT
Reviewed on: 10/7/14
Updates:
Recommendation:
File 6 – Henrichs